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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

DOCKETED

FEB 22 1999

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JIM IRVIN
Commissioner/Chairman
TONY WEST
Commissioner
CARL J. KUNASEK
Commissioner

IN THE MATTER OF THE JOINT) DOCKET NO. W-01656A-98-0577
APPLICATION OF SUN CITY WATER) SW-02334A-98-0577
COMPANY AND SUN CITY WEST)
UTILITIES COMPANY FOR APPROVAL OF) **OPPOSITION TO**
CENTRAL ARIZONA PROJECT WATER) **INTERVENTION BY CAP TASK**
UTILIZATION PLAN AND FOR AN) **FORCE**
ACCOUNTING ORDER AUTHORIZING A)
GROUNDWATER SAVINGS FEE AND)
RECOVER OF DEFERRED CENTRAL)
ARIZONA PROJECT EXPENSES.)

Sun City Taxpayers Association, Inc., ("SCTA"), hereby opposes the intervention by the "CAP Task Force" and respectfully requests that the Order granting intervention be vacated or modified based upon the following:

1. The Application to Intervene filed by the "CAP Task Force" dated January 29, 1999 was not served upon the SCTA, as evidenced by its Certificate of Service. SCTA is a party of record and was entitled to service.

2. SCTA became aware of the Application to Intervene when the Hearing Officer entered a Procedural Order dated February 16, 1999 granting intervention.

3. SCTA does not object to granting intervention to any of the individuals listed in the Application, so long as they, individually, are directly and substantially affected by the Application (e.g., rate payers of Sun City Water or Sun City West Utilities).

1 4. SCTA, however, does object to intervention of the "CAP Task Force"
2 as an entity, since it does not exist as a legally recognized entity (e.g., a partnership, a
3 corporation) or even as an unincorporated association doing business as the "CAP Task
4 Force." The "CAP Task Force" was created by and at the direction of Citizens. It selected
5 persons from names suggested by various entities, including SCTA. The "CAP Task Force"
6 was composed of 19 persons in total. It had no independent authority or funding. As a result
7 of various meetings, Citizens had prepared a "CAP Task Force Report" which is attached to
8 Citizens' Application.
9

10 5. Two members of the SCTA were appointed by Citizens to be part of
11 the "CAP Task Force." These members understand the "CAP Task Force" ceased to exist
12 after the CAP Task Force Report was finalized, are unaware of any meeting of the "CAP
13 Task Force" since May of 1998, and know of no action by the "CAP Task Force" authorizing
14 intervention in this proceeding.

15 6. The record of proceedings will needlessly become extremely and
16 unnecessarily confused, if these eleven individuals are allowed to intervene under the
17 nomenclature "CAP Task Force."

18 WHEREFORE, it is respectfully requested that the Notice of Intervention of
19 the "CAP Task Force" be vacated, that the eleven individuals listed thereon be required to
20 demonstrate they individually are directly and substantially affected by this proceeding, and

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1 to avoid confusion, preclude them and their attorney from referring to themselves as the
2 "CAP Task Force" in this proceeding.

3 RESPECTFULLY SUBMITTED, this 22nd day of February, 1999.

4 MARTINEZ & CURTIS, P.C.

5 
6

7 William P. Sullivan

8 Michael A. Curtis

9 2712 North Seventh Street

10 Phoenix, Arizona 85006-1090

11 Attorneys for Sun City Taxpayers Association, Inc.

1 An ORIGINAL and ten copies of the foregoing filed this 22nd day of February, 1999 with:

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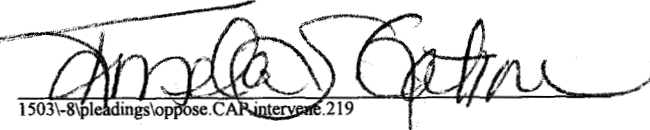
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26 15031-8 pleadings/oppose.CAP intervene.219